

Alan L. Sullivan (3152)
Paul W. Shakespear (14113)
Snell & Wilmer LLP
15 W. South Temple, Ste. 1200
Gateway Tower West
Salt Lake City, Utah 84101
Telephone: (801) 257-1900
Email: asullivan@swlaw.com
pwshakespear@swlaw.com

Steven M. Gombos (Admitted pro hac vice)
Gerald M. Ritzert (Admitted pro hac vice)
GOMBOS LEYTON, P.C.
11350 Random Hills Road, Suite 400
Fairfax, VA 22030
Telephone: (703) 934-2660
Email: sgombos@glpclaw.com
gritzert@glpclaw.com

Attorneys for Plaintiff Center for Excellence in Higher Education

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

CENTER FOR EXCELLENCE IN
HIGHER EDUCATION,

Plaintiff,

vs.

BETSY DeVOS, *et al.*,

Defendants.

STATUS REPORT

Case No. 2:16-cv-00911-CW

Judge Clark Waddoups

Magistrate Judge Dustin B. Pead

Pursuant to the Court's April 23, 2018 order (ECF 70), the parties submit this joint status report advising the Court of the status of the parties' efforts to resolve the disputes leading to the current litigation.

1. On January 19, 2018, the Center for Excellence in Higher Education (CEHE) and the Department of Education filed a stipulated joint motion to stay proceedings to allow the parties to continue discussions related to a resolution of this

action. (ECF 73). The Court granted the parties' motion that same day and ordered the parties to file a status report by April 20, 2018. (ECF 75).

2. On April 20, 2018, the parties jointly submitted a status report (ECF 78) advising the Court that the parties have continued to evaluate whether this matter may be resolved without the need for further litigation and requesting a short continuation of the stay for 30 days. The Court then ordered (ECF 79) that the stay remain in place for another 30 days pursuant to the parties' request.

3. On May 23, 2018, the parties jointly submitted an updated status report (ECF 80) advising the court that significant efforts to resolve this matter without litigation were continuing. Accordingly, the parties sought another 30-day continuance of the stay.

4. Since the parties' May 23, 2018 status report, the parties have continued to evaluate prospects for resolution of this litigation, and it appears that those prospects are significant enough to warrant a continuation of the stay. In light of these prospects for progress and in the interest of judicial economy, there is good cause to continue the stay and provide the parties sufficient time to continue the ongoing process.

5. Accordingly, the parties jointly request that the Court continue the stay to allow the parties to conclude their discussions and/or to file a new status report in sixty (60) days to advise the Court of the status of the case.

Dated this June 22, 2018:

Respectfully submitted,

GOMBOS LEYTON, P.C.

/s/ Steven M. Gombos

Counsel for Plaintiff Center for Excellence
in Higher Education, Inc.

United States Department of Justice

/s/ Daniel Halainen

Daniel Halainen
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave., N.W.
Washington, D.C. 20530
Telephone: (202) 616-8101
Facsimile: (202) 616-8470
E-mail: daniel.j.halainen@usdoj.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 22, 2018, I have or will have caused the foregoing document to be filed electronically through the CM/ECF system, which I understand will cause the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Daniel J. Halainen
20 Massachusetts Avenue, N.W.
Washington, D.C. 20530
Telephone: (202) 616-8101
Facsimile: (202) 616-8470
Daniel.J.Halainen@usdoj.gov

Jared C. Bennet
185 South State Street, #300
Salt Lake City, Utah 84111
Telephone: (801) 524-5682
Jared.bennett@usdoj.gov

Counsel for Defendants

GOMBOS LEYTON, P.C.

/s/ Steven M. Gombos
Counsel for Plaintiff Center for
Excellence in Higher Education, Inc.